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OFFICE OF PETITIONS

In re Application of :
Timothy C. Bonerb :
Application No. 10/711,362 :
Filed: September 14, 2004 :
Attorney Docket No. BON.US.47 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(f) filed October 27, 2007 which is properly treated as a renewed petition under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely respond to the Notice of Allowance and Issue Fee(s) Due and the Notice of Allowability mailed October 24, 2006, which set a statutory period for reply of three (3) months. Accordingly, by operation of law, the above-identified application became abandoned on January 25, 2007.

The previous Office communication was a petition decision mailed August 28, 2007 and the instant petition appears to be a response to that decision in that it provides the required drawing corrections that were indicated as necessary for a petition grant. The instant petition was a PTO form for Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f)). It appears petitioner used the wrong form. The renewed petition included a copy of replacement drawings which were missing from the initial petition filed under 37 CFR 1.137(b), filed April 18, 2007.

The instant renewed petition includes the replacement drawings.

The renewed petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of issue and publication fee(s) due and replacement drawings; (2) the petition fee of \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the issue and publication fee and the replacement drawings are accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Carl Friedman at (571) 272-6842.

The application file is being referred to the Office of Patent Publication for appropriate action.

Carl Bucci

for David Bucci
Petitions Examiner
Office of Petitions